

Appln No. 09/804,815
Amdt date October 31, 2007
Reply to Office action of August 28, 2007

REMARKS/ARGUMENTS

Claims 1-35 and 46-54 were pending in this application when last examined by the Examiner. Claims 1, 14, 17, 46, and 49 have been amended. Claims 55-56 have been added. The amendments find full support in the original specification, claims, and drawings. No new matter has been added. The amendments are being submitted along with a Request for Continued Examination. Accordingly, entry of the amendments and an early indication of allowance of the now pending claims 1-35 and 46-56 are respectfully requested.

Claims 1-35 and 46-54 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker et al. (U.S. Patent No. 6,263,505). Applicant respectfully traverses this rejection.

The Examiner contends that the invention "is a method of streaming television episodes over the internet, with interactive pop-up trivia polling questions appearing at certain times throughout the episode and a chat feature between viewers/players." (Office action p. 2, section 2). The Examiner then concludes that "the current claims read on any interactive software text-based children's game from the early 1980s implemented over a client/server architecture." Applicant respectfully disagrees with the Examiner's characterization of the invention. The Examiner's characterization ignores the exact claim language and in fact leaves out many limitations that are specifically claimed in the claims. Applicant respectfully submits that when all of these limitations are considered together, they are not taught nor suggested by the cited references.

In order to more particularly point out the distinctions between the claimed invention and the cited references, independent claim 1 has been amended to recite: "the client receiving from the server a message associated with at least one of the downloaded interactive components related to the particular episode, the message including a message type identifier selected from a plurality of predefined message type identifiers, wherein the message type identifier identifies a specific type of layout irrespective of the video program," and "base software receiving the message, retrieving from the message the associated message type identifier, retrieving layout information stored in the client specific to the message type identifier, and formatting the at least one of the downloaded interactive components in a particular layout format based on the

Appln No. 09/804,815
Amdt date October 31, 2007
Reply to Office action of August 28, 2007

retrieved layout information for causing to be displayed on the display the at least one of the downloaded interactive components in the particular layout format." (Emphasis added). Support for the amendments are found on page 7, last paragraph, of the specification. Walker fails to teach or suggest these limitations.

Walker discloses a system for providing supplemental information for video programs. The video program includes program identification information and synchronization information that may be input into a website for accessing the supplemental information related to the video program. (Col. 7, lines 47-58). The supplemental information may then displayed in the form of web pages on a personal computer in a manner that is synchronized with events occurring in the video program.

The Examiner relies on the disclosure in Walker of a web browser that is invoked to access the web site server and to input program identification information and synchronization information for displaying supplemental content, to contend that it teaches the claimed "base software" and "message including a message type identifier." (See, Office action, p. 3, section 5). Applicant respectfully disagrees.

First, neither Walker's program identification information nor synchronization information is the claimed "message type identifier" because each is specific to the video program that is being displayed and that is to be enhanced via the supplemental information. Specifically, Walker's program identification information is "an eight digit alphanumeric code uniquely representing the particular video program being displayed." (Col. 6, lines 53-55). The synchronization information is time code that is also specific to the particular video program for ensuring that the supplemental information remains synchronized with the particular video program. (Col. 7, lines 3-10). As such, neither the program identification information nor synchronization information "identifies a specific type of layout irrespective of the video program." (Emphasis added.)

Second, a person of skill in the art would understand that the supplemental information that is displayed via the web browser in Walker are in the form of web pages, and that such web pages already contain layout information, such as, for example, hypertext markup commands, that are needed to format the supplemental information. As such, there is no need in Walker to

Appln No. 09/804,815
Amdt date October 31, 2007
Reply to Office action of August 28, 2007

store or retrieve "layout information . . . in the client specific to the message type identifier" for then using this layout information to "format the at least one of the downloaded interactive components in a particular layout format." Accordingly, claim 1 is now in condition for allowance.

Independent claims 17, 46, and 49 include limitations that are similar to the limitations of claim 1 which makes claim 1 allowable. Accordingly, claims 17, 46, and 49 are also in condition for allowance.

Claims 2-16, 18-35, 47-48, and 50-54 are also in condition for allowance because they depend on an allowable base claim, and for the additional limitations that they contain.

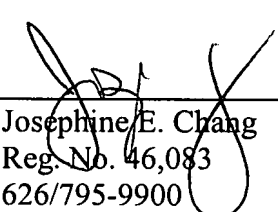
Claims 55-56 are new in this application. Claims 55-56 are also in condition for allowance because they depend on an allowable base claim, and for the additional limitations that they contain.

In view of the above amendments and remarks, reconsideration and an early indication of allowance of the now-pending claims 1-35 and 46-56 are respectfully requested.

Enclosed for this application is a copy of a Substitution of Attorney signed by the Assignee of this application which was mailed to the USPTO on December 19, 2006. As requested in this Substitution of Attorney form, please direct all future communication to the undersigned at the address indicated therein.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By


Josephine E. Chang
Reg. No. 46,083
626/795-9900

JEC/lal

LAL PAS758834.1-* -10/31/07 4:37 PM